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TO: PRESS OFFICERS

FROM: PRESS AND PUBLICATIONS

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WEEKLY UPDATE SERVICE 28/91

Contained in this weekly update are an external item on Turkey and two on the United Kingdom.

1a) NEWS INITIATIVES - INTERNAL

Mauritania - 21 August (revised date)

AFR 38/07/91

A targeted news release to accompany a list of more than 300 names of people we know or suspect to have been extrajudicially executed. This follows from a targeted press release in April highlighting the same issue, but this time provides information about some 300 victims.

Sri Lanka - 11 September ASA 37/14/91

An international release on gross human rights violations in north-eastern Sri Lanka, the first document focusing specifically on this region of the country. A draft report was presented to the government on a recent research mission to the country to which additional information gathered during that trip will be added. The report deals with thousands of extrajudicial executions and "disappearances" in North Eastern Sri Lanka. It also covers abuses by the Tamil Tigers in greater detail than any previous report on the country.

The timing of the release ties in with a visit by a UN working group to the country in early October, which we hope will investigate some of the issues raised in the report.

Mexico - 18 September

Mexico - Torture with Impunity AMR 41/04/91

News release and possible questions and answers sheet on a report on torture in Mexico. The main point in the report is that anyone who is arrested in Mexico is at risk of torture and that the government has done little to bring police or others to justice. The report contains good comments from bar associations and other organizations about the level of torture in the country and strong examples of torture. The news release will contain the most recent example possible.

China - 26 September

Report on administrative detention - news release and possible questions and answers. More details later.

ICM - 29 August to 7 September

Information will be provided shortly about the media strategy for the ICM.

2. EUR 44/WU 01/91 EXTERNAL  
31 July 1991

TURKISH CONSTITUTIONAL COURT JUDGMENT RESULTS IN FURTHER CONDITIONAL RELEASES OF POLITICAL PRISONERS.

Approximately 1000 left-wing political prisoners in Turkey will be released within the next two weeks, as a result of a judgment made by the Turkish Constitutional Court on 22 July 1991. Some 1500 prisoners on trial or convicted of separatist crimes (mainly members of the Kurdish minority) will however remain in prison awaiting further deliberations by the Constitutional Court.

The releases come as a result of the Anti-Terror Law (No 3713), which came into force on 12 April 1991. Over 20,000 prisoners, mainly convicted on criminal charges, have already been conditionally released from Turkish prisons under this law -- however, it made special conditions for those convicted of working for the violent overthrow or partition of the state under Articles 146 and 125 of the Turkish Penal Code. Many of these prisoners were sentenced after unfair trials in military courts in the years following the military coup in 1980, and would still have 10 years left to serve despite the reductions envisaged in the Anti-Terror Law.

A number of appeals were made to the Constitutional Court by courts hearing trials under Article 146, claiming that the discriminatory provisions of the Anti-Terror Law were in contravention of the constitutional requirement of equal treatment for all citizens. On Monday 22 July the Constitutional Court ruled that these provisions were indeed unfair and unconstitutional, and ordered a revision in the law which will take effect on the publication of the Official Gazette within the next few days and will result in the release of approximately 1,000 political prisoners.

However, because the appeals were only in respect of trials under Article 146 this revision will not apply to those convicted of separatist crimes under Article 125 -- leaving 1500 mainly Kurdish prisoners in jail.

A more comprehensive appeal against the Anti-Terror Law has been lodged by the principal opposition party, the Social Democratic People's Party (SHP). This includes a protest against the unequal treatment of those convicted under Article 125, and a judgment is expected in September or October 1991.

Amnesty International continues to express its concern over provisions within the Anti-Terror Law. These include articles which provide for the imprisonment of people who have made non-violent separatist propaganda; which provide an obstacle to the prosecution of alleged torturers; and under which prisoners convicted within the terms of the law will be held for up to several years in solitary confinement or small group isolation.

3. EUR 45/WU 02/91 EXTERNAL  
31 July 1991

#### UK: AI WRITES AGAIN TO GOVERNMENT ABOUT NORTHERN IRELAND KILLINGS

Amnesty International has written to the United Kingdom government about killings in disputed circumstances by security forces in Northern Ireland, in the light of new information.

In a letter sent on 25 July, the organization said it was imperative that allegations of a "shoot now, ask questions later" policy be thoroughly and impartially examined. Amnesty International also called for a review of legislative and other provisions to restrict the use of lethal force, the investigation of such use and the full accountability of the security forces before the public and the law.

Government action continues to rely on procedures which have been shown to be inadequate – either to elicit essential information for investigations, so that justice can be done, or to make such information publicly available, so that justice can be seen to be done.

Recent public reports, notably the British Broadcasting Corporation's (BBC's) Public Eye programme broadcast 14 June 1991, have raised further issues related to the inquiry carried out by senior police officers John Stalker and Colin Sampson into six killings in 1982. It was reported that Chief Constable Colin Sampson had recommended in 1987 that some Royal Ulster Constabulary (RUC) officers be prosecuted on charges, including conspiracy to murder Michael Tighe (one of the six killed in 1982). The government has not responded to this statement but has said prosecutions were not brought against any of the officers involved on "national security" grounds.

This new BBC report suggests that the failure to bring prosecutions helped conceal evidence of possible unlawful actions of state officials. It has also been reported that Colin Sampson recommended charges be brought against MI5 intelligence officers for the deliberate destruction of a tape recording made at the time of Michael Tighe's shooting, which John Stalker and Colin Sampson considered crucial in determining whether to bring charges of murder against RUC officers.

The alleged destruction of evidence in the case had not been addressed in the government's brief summary of the inquiry's findings in January 1988 and the more recent reports, too, have gone without comment. If the account of Colin Sampson's recommendation is accurate, the implication is that the government condoned the deliberate destruction of evidence in a potential murder case.

More recent cases have cast further doubt on government action. An investigation, broadcast by the BBC's Panorama programme on 22 July 1991, cited new information about several recent disputed killings by the security forces which Amnesty International had already raised with the authorities. The programme claimed that in some incidents soldiers may have lied about what had happened, or tampered with the evidence. In one incident it was alleged that soldiers faked an injury in order to support their claim that one soldier had been hit by a car. It also alleged that soldiers fired shots at suspects' heads "after they had ceased to pose any threat". Amnesty International has sought clarification as to whether the Director of Public Prosecutions has requested the RUC to reopen investigations on the basis of the reported new evidence.

Clarification was also sought on why senior police officers from another force have not been requested to investigate disputed killings, as recommended after the Stalker/Sampson inquiry. Reports of inadequate investigations of such incidents persist and the families of those killed consider they are treated with suspicion or total neglect: they are not informed properly of the death or kept informed of the investigation into the killing, and in many instances have been hampered in their efforts to establish facts. Many have, for example, been refused copies of the autopsy reports. The Caraher family was refused permission to arrange an independent forensic examination of the car in which Fergal Caraher was shot on 30 December 1990. Moreover, in some instances family members have alleged that they were subjected to harassment after the deaths.

Amnesty International also sought clarification on what steps the government has taken to bring international standards concerning the use of lethal force and investigation of disputed killings to the attention of various official bodies within the United Kingdom, and in particular in Northern Ireland.

Investigations in Northern Ireland still do not meet the minimum standards for proper investigations of disputed killings, as laid out by the United Nations (UN) Special Rapporteur on summary or arbitrary executions in January 1988. The procedures also contravene the United Nations Principles on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions, endorsed by the UN General Assembly in 1989. Similarly, United Kingdom safeguards fall short of the detailed provisions of the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials which expand on Article 3 of the UN Code of Conduct for Law Enforcement Officials. The Basic Principles establish strict limitations on when force and firearms can be used; require a reporting and review process when they are used; and require that abusive or unlawful use is punishable.

Amnesty International continues to call upon the government to establish an independent and impartial judicial inquiry, to review the issue of disputed killings by security forces with regard to policy matters, legislation and investigative procedures, and to ensure conformity with international standards.

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4. EUR 45/WU 03/91 EXTERNAL  
31 July 1991

#### UK - AMNESTY INTERNATIONAL WELCOMES INQUIRY INTO BROADWATER FARM CASES

Amnesty International has welcomed a new police inquiry into the cases of two of the three people sentenced for the murder of a policeman, during riots at the Broadwater Farm government housing estate in 1985.

The organization has been concerned for several years about the fairness of trials of Winston Silcott, Mark Braithwaite and Engin Raghip. The three men were convicted of murder on the sole basis of statements made in the absence of a lawyer and allegedly obtained as a result of intimidation.

On 25 July 1991, the United Kingdom government ordered an investigation into the cases of Winston Silcott and Mark Braithwaite as a result of new evidence which suggested that police falsified the written record of their answers during police questioning. The case of Engin Raghip has already been referred to the Court of Appeal and will be heard in November 1991.

Tests were carried out on police interrogation notes to examine the impression left by the pen through several sheets of paper and thereby show whether successive pages are contemporaneous. Tests using this method -- Electrostatic Deposition Analysis (ESDA) -- revealed inconsistencies in the police interrogation notes. The examination showed that the notes of Winston Silcott's interviews were neither complete nor contemporaneous and that a number of passages were added later. The unsigned, uncorroborated statement recorded by police officers without a lawyer being present was the only evidence against Winston Silcott.

Amnesty International hopes the new police inquiry into the cases will be carried out promptly and thoroughly.

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ADDITION TO WEEKLY UPDATE SERVICE 28/91

1. AMR 32/WU 02/91 EXTERNAL

1 August 1991

INTERNAL

Note to Press Officers: Please forward this information to interested journalists in your country or use it as an answer to media queries. For more detail, please refer to the Urgent Action on Grenada released today, AI Index AMR 32/01/91

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GRENADA: AI SENDS REPRESENTATIVES IN CONNECTION WITH POSSIBLE EXECUTIONS

Amnesty International has sent two representatives to Grenada, to seek top-level meetings to try to prevent the possible execution of five men sentenced to death for the murder of former Prime Minister Maurice Bishop and others.

The five men, Callistus Bernard, Bernard Coard, Leon Cornwall, Lester Redhead and Ewart Layne, have been granted stays of execution pending a court hearing next week. However, AI fears they may be executed after that.

AI's representatives are Charles Henry, a member of the International Executive Committee of AI, and Laurence Kershen, a British lawyer who observed parts of the trial and appeal of the five men on AI's behalf. They are seeking meetings with the Governor General and government ministers to convey the organization's concerns about the possible executions – which would be the country's first in 13 years.

The five prisoners are among 14 former members of the People's Revolutionary Government (PRG) sentenced to death in December 1986 for the murder of Maurice Bishop and others in October 1983. The other nine remain on death row. Their appeal, which ended in September last year after hearings which began over two years previously, was denied on 12 July 1991.

Amnesty International is calling for the death sentences to be commuted. The organization opposes the death penalty in all cases, believing it to be the ultimate form of cruel and degrading treatment.

Amnesty International has a number of other concerns about the case. There are suggestions of bias in the trial jury and several of the defendants were held incommunicado, blindfolded and manacled after their arrest, and were denied legal counsel for several weeks. Ewart

Layne and Lester Redhead signed statements which were used as evidence - although they had not had access to a lawyer when the statements were taken.

Grenada is due to rejoin East Caribbean Supreme Court system -- under which there is a final right of appeal to the Judicial Committee of the Privy Council in London. These cases were tried under a court system which had no such right of appeal.